

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

UNITED STATES OF AMERICA

VS.

PHYLLIS USSERY,

Defendant

NO. 5: 09-MJ-06-04 (CWH)

VIOLATION: DUI Drugs

**O R D E R**

This matter is before the Court on defendant's Motion to Continue this case to the next trial term. Defense counsel states that she has a conflict and is scheduled for another jury trial commencing on the same date before the Honorable Judge Sands in Valdosta. The Court finds that the motion should be GRANTED.

Accordingly, IT IS ORDERED that the above-referenced matter be continued until reached on the next regular scheduled trial calendar, and that the Speedy Trial Act deadline for the trial in this matter imposed by 18 U.S.C. § 3161 (c)(1) be extended to the completion of that trial term.

It is the Court's finding, pursuant to 18 U.S.C. § 3161 (h)(8)(A), that the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant to a speedy trial because the failure to grant such continuance could result in a miscarriage of justice under 18 U.S.C. § 3161 (h)(8)(B)(I), and the failure to grant such continuance would deny counsel for the defendant reasonable time necessary for effective preparation, even accounting for due diligence, under 18 U.S.C. § 3161 (h)(8)(B)(iv).

SO ORDERED AND DIRECTED, this 4<sup>th</sup> day of AUGUST, 2009.



A handwritten signature in black ink, appearing to read "Claude W. Hicks, Jr.", written in a cursive style.

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE